 1   They report to him, directly to him.

 2   Q.   And facility support services doesn't work

 3   for Chuck Keaton; is that right?

 4   A.   No, ma'am. Well, let me stop. There's some

 5   departments up there that, they work for him, but they,

 6   I mean, if he has a to-do list, he could pass it on to

 7   them. So yeah.

 8   MS. MAPLES: I'm going to show you another

 9   document.

10   (Exhibit 3 was marked.)

11   BY MS. MAPLES:

12   Q.   Do you see that this document is also from

13   Jon Walton?

14   A.   I see that.

15   Q.   Do you see that it's dated February 25th of

16   2021?

17   A.   Yes, ma'am.

18   Q.   Do you see that the first sentence in this

19   document states: A review of drug testing and substance

20   abuse treatment for July 1st, 2020 to December 31st,

21   2020 identified noncompliance Items 3D, comma, 3G?

22   A.   Yes, ma'am.

23   Q.   And do you see that Noncompliance Item 1

24   seems to be that inmates given a positive lab test were

25   not then given a disciplinary report?

 1   A.   I see that.

 2   Q.   Why is it important for inmates who have

 3   positive drug screens to get a disciplinary report?

 4   A.   To basically hold them accountable.

 5   Q.   Did CoreCivic struggle with drugs being

 6   brought into the facility at Trousdale?

 7   A.   I don't know, respectfully, what you mean by

 8   struggle. We found drugs. We had attempted throw-

 9   overs. Staff coming through check point. Coming

10   through the mail. We had our challenges with it, like a

11   lot of prisons I've worked at.

12   Q.   That's all I mean when I say struggle, I mean

13   challenges.

14   A.   I like the word challenge, but I'll go with

15   struggle.

16   Q.   Okay. Do you think that some of the

17   challenges related to the level of drugs or the

18   availability of drugs within Trousdale related to the

19   staffing levels of Trousdale?

20   A.   There's only -- well, actually, there's two

21   ways to get into the prison. And those posts are always

22   manned. Always. Check point. And when we have traffic

23   at the sally port. So on that aspect to your question,

24   those posts were manned.

25   Q.   Well, when you say get into the prison, I

1   mean, drugs are getting into the prison, right?

2   A.   Yes, they are getting into the prison.

3   Q.   And those two entries into the prison are not

4   the only ways in which Trousdale employees could monitor

5   or discover drugs inside the prison, right?

6   A.   Those two, I'm not sure if I -- and that's my

7   fault. I don't totally understand your question.

8   That's my fault.

9   Q.   That's fine. I mean, you're telling me that

10 the two means of entering the prison were always

11 staffed.

12   A.   Right.

13   Q.   And I guess my question still is, might the

14 availability of drugs within Trousdale be related to

15 understaffing at Trousdale?

16   A.   We've intercepted drugs being thrown over the

17 fence. We've intercepted drugs coming through the mail

18 room. Of course, staff coming through. I am not acting

19 like staff didn't get it in there, because I know they

20 did. Someone did. We caught him. Vendors, we have

21 vendors -- we did, for a short period of time before

22 COVID hit, coming in. We always have food coming in.

23 And that stuff is fully searched. It wasn't -- so I

24 mean, there's a lot of ways of trying. And sometimes

25 the bad guys themselves were getting it in. I'm not

1   going to just tie that to being short. Throwing it over

2   has nothing to do with being short. I am not being

3   argumentative. That one, people get very creative how

4   to get that stuff in there.

5   Q.   Well, I mean, is a fully staffed prison

6   better able to detect drugs that are already in the

7   prison? I mean, you're talking to me about ways it gets

8   in. I am talking about once it's in.

9   A.   No, no, no. In my experience, the answer to

10   that question is no.

11   Q.   Well, is one of the ways that you detect

12   drugs once they've entered the prison in doing cell

13   searches?

14   A.   It is one of the ways. But I will tell you

15   -- it is one of the ways, yes. But inmates -- all of

16   them are not bad guys. You get your best intel from the

17   inmates. They live there. You get your best -- that's

18   your best resource to get some intel is from the inmate

19   population.

20   Q.   Is one way that one might get intel from the

21   inmate population by drug testing them as required?

22   A.   That's going to tell you if a guy's got some

23   dope in his system. He has dope in his system. That's

24   all that is going to tell you. Where did you get it

25   from? Must have been something I ate. That's the games

 1   they play.

 2   Q.   So you're saying that drug testing tells you

 3   absolutely nothing about the level, availability or

 4   source of the drugs in the prison?

 5   A.   Did I say -- is that on record? Can you

 6   repeat that back? Did I ever say that? I don't think I

 7   did.

 8   Q.   Well, I am asking?

 9   A.   No, I didn't say that.

10   Q.   Can you get intel from drug testing prisoners

11   about the source and availability of drugs within

12   Trousdale?

13   A.   You'll get that the guy is -- I'll just use

14   high on meth. You'll get that. But again, you ask him,

15   guy, you know, where did you get this from? Oh, it was

16   something you all sold me out of commissary. You will

17   get that the guy is high -- I mean, not necessarily

18   high, but that he has drugs in his system by the drug

19   testing. You get very little intel about where it came

20   from.

21   Q.   So you get the intel about where the drugs

22   came from the people you don't drug test?

23   A.   Not always. Not always, but a lot of times.

24   Not always.

25   Q.   So sometimes you get the intel from the

 1   people you actually drug test?

 2   A.   Occasionally.

 3   Q.   Okay. Now, if we go down in this document to

 4   noncompliant Item 2, it indicates that inmates who test

 5   positive on a drug screen are supposed to be retested

 6   for a period of three consecutive months. Do you see

 7   that?

 8   A.   I do.

 9   Q.   Now do you see that CoreCivic didn't do that?

10   MR. WELBORN: Object to the form.

11   THE WITNESS: I see that, yes. I read what

12   he wrote on the paper, yes. I do see that.

13   BY MS. MAPLES:

14   Q.   Do you think that CoreCivic's failure to

15   retest inmates as required by policy could be related to

16   the level of staffing going on at Trousdale?

17   A.   What I think about this time frame is COVID.

18   COVID. COVID had a direct effect on this, the whole

19   operation of the prison. COVID.

20   Q.   Was it related to staff?

21   A.   Staff catching COVID? Yes, we had staff

22   catch COVID. Yes. COVID.

23   Q.   If you had a greater number of staff members,

24   do you think you would have been better able to retest

25   inmates who tested positive on a drug screen for a

 1   period of three consecutive months following the

 2   positive test?

 3   A.   I didn't have the luxury of finding that out,

 4   ma'am.

 5   Q.   Well, what do you think?

 6   A.   I don't have a thought on it. I do not.

 7   MS. MAPLES: Okay, the next exhibit, this is

 8   Exhibit 4 to the deposition.

 9   (Exhibit 4 was marked.)

10   BY MS. MAPLES:

11   Q.   Do you see that this is dated February first

12   of 2021?

13   A.   Yes, ma'am.

14   Q.   Do you see that it's also from Jon Walton?

15   A.   Jon Walton, yes, ma'am.

16   Q.   Do you see that it's concerning searches?

17   A.   (Reading to self.) Yes, ma'am. I see that.

18   Q.   Do you see that under noncompliance issue, it

19   states: On November 9th, 2020, Turner Trousdale was

20   audited and discovered daily cell inspections were not

21   being completed as required by this standard. The

22   contract monitor notified the facility of this

23   requirement and requested that all new unit managers

24   were made aware of the daily cell inspection mandates?

25   A.   Yes, ma'am.

 1   Q.   Do you think that the inability to conduct

 2   cell inspections as required was related to the level of

 3   staffing at Trousdale?

 4   MR. WELBORN: Object to the form.

 5   THE WITNESS: This time frame was from

 6   October to December?

 7   BY MS. MAPLES:

 8   Q.   Let's see. October 1st, 2020 to December

 9   31st of 2020. Do you see that?

10   A.   I do, yeah.

11   Q.   Okay.

12   A.   Staffing very well could have played a role

13   with this one. Caveat, again, with COVID. People out

14   with COVID. And we had them. It was rough. So yeah.

15   Q.   Do you see that the second paragraph under

16   noncompliance issues states: An e-mail was sent by the

17   contract monitor to the facility requesting a time to

18   review these inspections and to ensure -- strike that.

19   Do you see the second paragraph under noncompliance

20   issues states: An e-mail was sent by the contract

21   monitor to the facility requesting a time to review

22   these inspections to ensure they occurred daily. As of

23   December 18th, 2020, daily cell inspections were not

24   observed and documentation has been provided to the

25   contract monitors to determine if this requirement is

1   being performed?

2   A.   I see that.

3   Q.   Do you see that action taken by the TDOC

4   contract monitor indicates that you were notified by

5   e-mail?

6   A.   I see that.

7   Q.   Do you remember this?

8   A.   No, ma'am, I don't. But I do see where he

9   sent it to me, but I don't remember reading this. I

10   don't.

11   Q.   Does it concern you that cell inspections

12   were not being performed at Trousdale?

13   MR. WELBORN: Object to the form.

14   THE WITNESS: They should have been

15   performed.

16   BY MS. MAPLES:

17   Q.   Does it concern you that they were not being

18   performed?

19   A.   To a degree, it does.

20   Q.   Are cell inspections one way of monitoring

21   the level of contraband inside the prison?

22   A.   It could be, yes.

23   Q.   And by contraband, does that include illegal

24   drugs and homemade weapons?

25   A.   Those two items are considered contraband.

1   Q.   Do the presence of illegal drugs make a

2   facility more dangerous for inmates?

3   A.   It could, yes, ma'am.

4   Q.   Well, I think it's fair to say that a

5   facility with illegal drugs available versus a facility

6   with no illegal drugs available, your facility with

7   illegal drugs would be more dangerous, right?

8   A.   Ma'am, with all due respect, 37 years in this

9   business, I've never worked at a prison that there was

10 not any illegal drugs in it.

11   Q.   I understand that, I'm just trying to

12 understand the impact that illegal drugs have on the

13 safety of a prison.

14   A.   Just like in the free world, right? It's the

15 same. So I'm not arguing with you. I'm not arguing

16 with you, I'm not. It's the same thing. It has an

17 effect on our society right now. And all of that comes

18 into the prison. Eventually, it makes its way into the

19 prison when the guys get caught. So yeah, I agree with

20 you. Yes.

21   (Exhibit 5 was marked.)

22 BY MS. MAPLES:

23   Q.   In this document, do you see there is a

24 document in front of you that is going to be Exhibit 5

25 to your deposition?

```
 1        A.     002376?

 2        Q.     Yes, thank you.

 3        A.     Yes, ma'am.

 4        Q.     Do you see that it's dated February 1st,

 5   2021?

 6        A.     Yes, ma'am, I do.

 7        Q.     And do you see that the audit scope listed

 8   here is July to December of 2020?

 9        A.     Yes, ma'am.

10        Q.     Do you see that this one concerns records and

11   reports?

12        A.     Yes, ma'am, I see it.

13        Q.     I think we might have touched on this

14   earlier, but can you explain why, in your opinion, it's

15   important to have complete and accurate reports of

16   violent incidents within the prison?

17        A.     The purpose of this, this is simply notifying

18   the CCC.  Again, I don't know what the CCC stands for.

19   That's what it's about, notifying them within that time

20   frame.  I see that.  What is the next incident, the

21   death of offender.  There's another death.  Okay.  Are

22   there more on there than those three?

23        Q.     Uh-huh.

24        A.     Okay, November.  (Mumbling.)  Was 19 minutes

25   late, okay.  The next one says chemical agent on
```

```
 1   offender, 20 minutes late -- 27 minutes late.  This was

 2   another use of force.  This was -- it doesn't say the

 3   time frame on that one.  The next one here talks about

 4   December -- a weapon -- what is that for, assault.

 5   Assault.  Offender was without a weapon.  Okay.

 6   Chemical agents used on the offender.  Okay.  Are there

 7   more?

 8        Q.   I believe that's all for -- this is all for

 9   Contract Monitoring Instrument 1A.  So can you explain

10   why it's important for incidents to be reported

11   according to this contract monitoring incident?

12        A.   CCC, Central Communication Center, there it

13   is.  That's what it stands for.  The top two, I think,

14   were deaths.  I think they were deaths.  Being

15   realistic, when you got a death, that supervisor is

16   running from -- they missed it.  They missed the 60

17   minutes.  I am not too terribly upset with them for

18   that.  They have a lot going on.  These chemical agents,

19   they should have been reported on time.  There's not

20   that much to that.  They should have been reported on

21   time.

22        Q.   Do you think the failure to report adequately

23   as described in this report could have been related to

24   the understaffing at Trousdale?

25        A.   I don't know that.  I'm just reading that the
```

1   incident happened. I don't know that. I can't marry

2   them two together at this time.

3   Q.   Okay.

4   MR. WELBORN: Can we take a break?

5   MS. MAPLES: Sure.

6   (Recess observed.)

7   BY MS. MAPLES:

8   Q.   Mr. Byrd, do you recall that before the

9   break, we were discussing this document that is Exhibit

10   5 to your deposition, dated February 1st, 2021?

11   A.   Yes, ma'am.

12   Q.   Do you remember that it concerns incident

13   reporting?

14   A.   Yes, ma'am.

15   Q.   And we have just gone through Noncompliance

16   Item 1, so I'm going to control down to Noncompliance

17   Item 2. Do you see that under Noncompliance Item 2, the

18   noncompliance issue is described as Trousdale Turner not

19   being able to produce the required forms concerning

20   seven inmates sent to an off-site hospital, which

21   resulted in death?

22   A.   I see it. I see it, yes.

23   Q.   Do you see noncompliance Item 3?

24   A.   Yes, I see it.

25   Q.   And do you see that it states that an

1   incident report is entered within eight hours of the

2   incident?

3   A.   Yes.

4   Q.   And do you see that the contract monitor

5   identified certain instances in which that didn't

6   happen?

7   A.   May I read this, please?

8   Q.   Sure.

9   A.   Okay, I'm good.

10   Q.   Do you see that the contract monitor had

11   certain instances in which CoreCivic employees at

12   Trousdale did not comply with the requirement that

13   incidents be entered into TOMIS within hours?

14   A.   I don't see that on the screen. Are you

15   telling me that, or is that on the screen somewhere?

16   Q.   Well --

17   A.   Okay, yeah.

18   Q.   So that's accurate, then?

19   A.   This is my first time actually reading this.

20   I'm reading it, I see it. What was the response to

21   this?

22   Q.   There you go. Do you see that I've scrolled

23   down and given you --

24   A.   I see it, yes. Thank you. Okay, I see it.

25   Q.   And do you remember this occurring?

```
 1          A.     I do not.

 2          Q.     Okay.  Do you see that you were notified by

 3    e-mail?

 4          A.     I see that.

 5          Q.     Do you see that, at the bottom of the page,

 6    there is a heading, response of contractor and plan of

 7    corrective action taken?

 8          A.     I see that.

 9          Q.     Do you see in the paragraphs below it, there

10    is a description of the action taken?

11          A.     I see it, yes.

12          Q.     Is that something you would have been

13    involved in formulating, I guess?

14          A.     It would have been one of my AWs.  Probably

15    both of them, since one of them was a medical issue and

16    the other one was like an operations issue.  The two

17    AWs, along with the (inaudible) department.

18          Q.     So along with somebody at headquarters, then?

19          A.     Yes, ma'am.

20          Q.     Do you see there is another noncompliance

21    Item No. --

22          A.     Four?  Yes, I see it.

23          Q.     Can you describe the noncompliance issue

24    that's been found here?

25          A.     I can read to you what he wrote.
```

1   Q.   Well, do you see that at the bottom of the

2 page, he's written that the Trousdale warden slash

3 designee did not send the August, September, October,

4 November and December 2020 monthly reports?

5   A.   I see that.

6   Q.   Were you responsible for sending these

7 reports, or did you have a designee?

8   A.   I had a designee.

9   Q.   And when we're referring to the reports, are

10 these reports related to what?

11   A.   It says PREA. PREA.

12   Q.   Well, let's see, it says here: Determine if

13 TDOC central office directors have reported delays on

14 any instances of required slash requested reports or

15 information that has not been provided in a timely

16 manner as requested. Do you see that?

17   A.   I do.

18   Q.   So it seems like the PREA inspection reports

19 are the ones that were not sent for a period of five

20 months?

21   A.   Yes.

22   Q.   Why is it important to submit PREA reports?

23   A.   It's in the contract.

24   Q.   Does it impact the safety of the prison, do

25 you think?

    1   A.   Very little.

    2   Q.   Do you think it impacts TDOC's ability to

    3   oversee the prison?

    4   A.   It could, but you have two contract monitors

    5   on site. So they let it go on that long without

    6   bringing it to somebody's attention. Five months before

    7   they brought it to somebody's attention.

    8   Q.   Do you see you were advised of this non-

    9   compliance via e-mail?

   10   A.   Yes, ma'am.

   11   Q.   Under what situations are correctional

   12   officers permitted to use force at Trousdale?

   13   A.   To prevent escape. To defend themselves. To

   14   defend inmates. To prevent property damage.

   15   Q.   Are those the only ones?

   16   A.   That's the only ones I can think of right

   17   now.

   18   Q.   When I say use of force, can you tell me

   19   specifically what that means?

   20   A.   Use of force. Physical handling. It can be

   21   physical handling. Chemical agents. Deadly force.

   22   Escapes, of course. Chemical agents. Stop inmates from

   23   harming themselves. Use of force for that.

   24   Q.   By chemical agents, what are you referring

   25   to?

1   A.   I think we carry something that's called OC

2 spray. The OC has got a big old long name to it. OC,

3 it's spray. Again, physical handling or deadly force.

4   Q.   What are the reporting requirements for use

5 of force?

6   A.   Contract monitor has to be notified on the

7 state's side.

8   Q.   Is there a form or something that has to be

9 filled out?

10   A.   There are reports, forms, yes. Report forms

11 you have to fill out.

12   Q.   Are you involved in all use of force

13 incidents?

14   A.   No.

15   Q.   When do you --

16   A.   When you say involved, what do you mean by

17 involved? Help me out.

18   Q.   I mean, are you notified every time there is

19 a use of force incident?

20   A.   I get an e-mail or a phone call.

21   Q.   Do you review all of the documentation

22 concerning use of force incidents?

23   A.   I'll sign off on it or my two AWs -- three

24 AWs, they can also sign off on it.

25   Q.   When you say sign off on it, do you mean --

1   A.   Review the documents and sign off on the

2   packet. It's called a packet.

3   Q.   What does it mean to sign off on a use-of-

4   force incident?

5   A.   You review the documents and sign off on it.

6   Q.   Does it mean that you are offering an opinion

7   about the use of force, the reasonableness of it, or

8   does it just mean that you're signing off that you read

9   it?

10   A.   It could be, yeah. If the use of force was

11   not authorized, if it was excessive, sign off on the

12   document. Yes.

13   Q.   Did you ever determine that there was an

14   excessive use of force while you were warden at

15   Trousdale?

16   A.   I don't know if it was excessive, but there

17   was one that -- or maybe two that was unnecessary,

18   maybe.

19   Q.   Okay. When you say unnecessary, what do you

20   mean?

21   A.   I mean, the officer probably should have done

22   something a little different instead of actually using

23   -- and it probably was going to be spraying the guy.

24   Using their OC. I remember maybe one, maybe, that I

25   signed off on. Generally, your chief of security is

1   going to catch that and what they will do is generate a,

2   what we call a problem solving notice and write it up

3   for disciplinary. Yeah.

4   Q.   While you were warden of Trousdale, did you

5   ever give employees directives about when the use of

6   force might be appropriate?

7   A.   Yes, I have.

8   Q.   Okay. And can you describe your directives,

9   generally?

10   A.   If you have to use force, use it. When the

11   resistance stops, you stop.

12   Q.   Is that it?

13   A.   Pretty much, yes.

14   Q.   When you were giving correctional officers

15   directives about using force, did you give any more

16   information about when a correctional officer might need

17   to use force?

18   A.   I possibly could have.

19   Q.   You just don't remember?

20   A.   Yeah, I just don't recall. I don't recall.

21   Q.   Were use-of-force incidents things that you

22   might discuss with (inaudible)?

23   A.   You broke up on me. I'm sorry, say it one

24   more time, please.

25   Q.   Were use of force incidents something you

1   might discuss with Chuck Keaton?

2   A.   Yes.

3   Q.   How many times did you discuss use of force

4   incidents with Chuck Keaton?

5   A.   I can't -- respectfully, I don't know how

6   many times we talked about use of force, I don't know.

7   Q.   How might unnecessary or excessive use of

8   force issues be related to understaffing at a facility?

9   A.   I don't understand the question, I don't.

10   Q.   Well, we talked about how officers who work a

11   great deal of overtime can experience exhaustion or

12   stress, right?

13   A.   We talked about that.

14   Q.   And I mean, can an officer experiencing a lot

15   of stress and exhaustion perhaps react badly when

16   presented with an inmate who's refusing to comply with a

17   directive?

18   A.   What -- I don't know the answer to your

19   question. I don't understand your question. That's my

20   fault. I just don't understand what you're trying to

21   ask. Respectfully, I just don't understand what you're

22   asking.

23   Q.   What are some of the reasons that a

24   correctional officer might use unnecessary or excessive

25   force?

1   A.   They might lose their composure. I mean,

2 that's what I've seen more than anything, they lose

3 their composure. They let the inmate get the best of

4 them.

5   Q.   And do you think correctional officers are

6 more likely to lose their composure if they're suffering

7 from mental or physical exhaustion or extreme stress?

8   MR. WELBORN: Object to the form.

9   THE WITNESS: I've not had one tell me that.

10 BY MS. MAPLES:

11   Q.   Could correctional officers use of

12 unnecessary or excessive force be related to a lack of

13 training or the need for additional training?

14   A.   Could be.

15   Q.   When a prison is understaffed, is it more

16 difficult to do ongoing training?

17   A.   Can be.

18   MS. MAPLES: I'm going to show you another

19 document.

20   (Exhibit 6 was marked.)

21 BY MS. MAPLES:

22   Q.   Do you see that there is a document on your

23 screen that is going to be Exhibit 6, I think, to your

24 deposition with Bates stamp TDOC 002605 in the top

25 left-hand corner?

 1   A.   Yes, ma'am.

 2   Q.   Do you see that it's from Jon Walton and

 3   dated February 25th, 2021?

 4   A.   Yes, ma'am.

 5   Q.   Do you see that the first sentence states: A

 6   review of the use of force standard for July 1st, 2020

 7   to December 31st, 2020 identified noncompliance Items

 8   2C, 2D, 2E, four?

 9   A.   I see that.

10   Q.   Do you recall receiving a copy of this

11   report?

12   A.   No, I do not.

13   Q.   Do you recall e-mail correspondence about

14   compliance found concerning use of force standard?

15   A.   I don't recall reading this report. In fact,

16   I did not read this report. I can tell you that.

17   Q.   Do you see that Noncompliance Item 1 is

18   concerning monitoring instrument use of force Item 2C?

19   A.   Your phone broke up on me again.

20   Q.   This time I'm on my computer.

21   A.   Okay, well, your computer broke up on me.

22   Q.   Let's try again.

23   (Whereupon the court reporter informs about

24   some words cutting out, in case that's reason

25   for any confusion. Ms. Maples rejoins via

 1   Cell phone.)

 2   BY MS. MAPLES:

 3   Q.   Mr. Byrd, do you see that Noncompliance Item

 4   1 is concerning monitoring instrument use of force Item

 5   2C?

 6   A.   Yes, ma'am.

 7   Q.   And do you see that under noncompliance

 8   issue, the contract monitor determined that certain use

 9   of force incidents occurred, but the reporting of that

10   incident is not available?

11   A.   Yes, ma'am.

12   Q.   Do you see that at the bottom of the page, it

13   indicates that you were notified?

14   A.   It says I was notified by Chris Brun. It

15   doesn't say how, but yes, I see that. Yes.

16   Q.   Do you remember being notified about the

17   video issue?

18   A.   No, ma'am, I do not.

19   Q.   Do you see that under noncompliance Item 2 --

20   A.   Yes.

21   Q.   -- there is an issue with use of force

22   reports being provided to the liaison's office within

23   five working days?

24   A.   I see it, yes.

25   Q.   Do you see that in some cases, use of force

Page 97

1   reports were submitted late and in one case there was no

2   use of force report available at all?

3   A.   I see that.

4   Q.   Do you see that you were notified?

5   A.   I see where it says I was notified via

6   e-mail, yes.

7   Q.   Do you remember being notified about those?

8   A.   I do not.

9   Q.   Does it concern you that we just looked at

10   two noncompliance issues concerning use of force

11   reporting?

12   A.   Does it concern me?

13   Q.   Yes.

14   A.   It does. It does, yeah. It's concerning.

15   Q.   Do you see noncompliance Item 3?

16   A.   I do, I see it.

17   Q.   Do you see that the requirement is described

18   as: In cases in which prior approval of the use of

19   force by the CD is not possible, notification of the use

20   of force is made within one hour?

21   A.   Yes, I see that.

22   Q.   Do you see that the contract monitor found

23   the incident involving use of force that the contract

24   monitor was never notified of?

25   A.   I'm trying to see where it says they were not

 1   notified. Where is that?

 2   Q.   Right here.

 3   A.   Okay, I read that. Yes, I see that.

 4   Q.   And do you see that you were notified by

 5   Chris Brun?

 6   A.   Yes, I see that. Can I read some of this

 7   stuff that we're going through, please?

 8   Q.   Sure. Do you want to be able to scroll

 9   through it yourself? Here, I am going to give you

10   control, okay?

11   A.   I might do something bad, I'm telling you

12   now. Bad meaning, I might -- I don't know what I'm

13   doing.

14   Q.   You're fine. You can just try and scroll

15   through it now.

16   A.   I can't get my mouse to...

17   Q.   Do you want me to scroll it?

18   A.   I think I'm getting over there.

19   Q.   There you go.

20   A.   Yeah. Okay. Come up just a little bit,

21   please. Did we go up or down?

22   Q.   We went up. I was just giving you the first

23   part of that sentence there.

24   A.   That's good, right there. Perfect. Perfect,

25   thank you. Okay, I'm good. Thank you.

1   Q.   Do you see that Noncompliant No. 4 --

2   A.   I see it.

3   Q.   -- involves a review of all of the staff

4   involved in use-of-force incidents and whether they

5   received the appropriate level of training?

6   A.   I see that, yes.

7   Q.   And do you see that it says: Upon review of

8   the facility training record, it has been determined

9   that senior correction officer Justin Dickey's chemical

10   agent certification expired May 6th, 2020 and the staff

11   member certification was not renewed until September

12   12th, 2020. Between this time frame, SCO Dickey was

13   involved in five chemical uses of force events detailed

14   below?

15   A.   I see that.

16   Q.   Do you see that you were notified?

17   A.   I see that.

18   Q.   How much time did you spend preparing for

19   today's deposition?

20   A.   I don't know.

21   Q.   Did you meet with or speak to by phone or

22   Zoom any attorneys to prepare for today's deposition?

23   A.   Yes.

24   Q.   Did you speak to the attorney who is

25   defending your deposition today, Joe Welborn?

```
 1        A.    Yes.

 2        Q.    And how long did you all talk for?

 3        A.    Maybe an hour.

 4        Q.    And when did you all prepare for the

 5   deposition?

 6        A.    During the phone call.

 7        Q.    I mean what day?

 8        A.    I don't know.

 9        Q.    Was it this week?

10        A.    We spoke, yes, once this week.

11        Q.    And we talked this morning about the fact

12   that you're no longer at Trousdale, but you've not yet

13   been reassigned to another facility; is that correct?

14        A.    Correct.

15        Q.    And you cited the time frame that you were at

16   Trousdale as warden as April of 2020 until March of

17   2021, right?

18        A.    That's what I'm thinking.  I think I said my

19   exact date is probably not going to be right.

20        Q.    You did, you absolutely did.

21        A.    It's going to be some period into that time

22   frame, yes.  For exact dates, I don't --

23        Q.    During that time period, were you placed on

24   administrative leave at any time?

25        A.    You know, I'm on leave.  I don't know what
```

 1   kind of -- I'm on paid leave. I'm just waiting to find

 2   another facility.

 3   Q.   Were you present at the facility from January

 4   of 2021 through the completion of your tenure as warden

 5   of Trousdale in March of 2021?

 6   A.   Was I at the facility during that time frame,

 7   January to March?

 8   Q.   Physically at the facility?

 9   A.   Yes.

10   Q.   Every day?

11   A.   Not every day, no, ma'am. I took a day off

12   every once in a while. No, I wasn't there every day.

13   Q.   When did you stop being present physically at

14   the facility?

15   A.   I can't -- I don't know. I cannot answer

16   that question because I don't know the exact date. I

17   stated that already, I don't know the exact date.

18   Q.   Why were you relieved from your duties

19   as warden at Trousdale?

20   A.   There is an incident that took place that the

21   commissioner -- I think it was commissioner or assistant

22   commissioner -- didn't agree with the action that I

23   took. So therefore, I was relieved as a warden at

24   Trousdale and waiting on reassignment somewhere else.

25   Q.   When was the incident that you're referring

1   to?

2   A.   I don't know the exact date. I do not. I

3   don't even know the month. I'm not sure.

4   Q.   Was it in 2021?

5   A.   I'm not sure. I'm just not sure of the date.

6   I'm not sure.

7   Q.   Well, I mean, you got relieved of your duties

8   around March of 2021. Do you think the incident was in

9   the calendar year of 2021?

10   A.   I wish I had that date so I could answer your

11 question as matter of fact. I just don't have the date.

12 I do not and I apologize. Respectfully, I just don't

13 have the date.

14   Q.   Can you describe the incident that occurred?

15   A.   Sure. There was a staff assault that

16 occurred. Inmate assaulted an officer. We was going to

17 block the inmate up in segregation. He ran -- when the

18 staff got down there, he ran into his cell. They told

19 him to come out. He displayed a -- about a nine-inch

20 homemade weapon sharpened to a point and made a

21 statement multiple times, somebody is going to die

22 tonight.

23   At the time, I was in my office. And I

24 walked down to the pod it happened in. When I got down

25 there, the chief of security advised me of what I just

```
 1    said, the guy showed us a knife and said somebody is

 2    going to die tonight.  Multiple times.  I said okay.  I

 3    walked out of the building and got my thoughts together.

 4    And I came up with a plan, because the inmate was in the

 5    cell with a cell-mate.  The staff had tried to spray

 6    some chemical agents under his door and they was talking

 7    to him about giving up the weapon.

 8               Not knowing how much time we had before this

 9    guy acted out or whatever, or if he carried out his

10    threat that somebody was going to die, I told assistant

11    chief to go around -- go and get me a sledge hammer.  We

12    was going to go around to the back of that cell, break

13    the window out and take control of the situation.  And

14    that's what happened.

15               Now, how we took control of the situation was

16    we had a shotgun with four bean bags in it.  Bean bags

17    is about the size of a 12-gauge bullet, but it's

18    nonlethal.  Bean bags, nonlethal.  So we went around.

19    We hit the glass, the inmate turns around.  We told him

20    to drop the weapon, drop the weapon, show us your hands.

21    He didn't do any of that.  So we used some chemical

22    agent on him, that didn't have an effect on him.  So I

23    told the sergeant, hit with the bean bags.  Sergeant did

24    it four times.  The inmate laid on the floor.  We saw

25    his hands, he put them behind his back.  We got him,
```

 1   took him to segregation.

 2   During the debriefing of the situation, I was

 3   advised by chief of security that, warden, the guy had

 4   threw the weapon out. I don't know if that was after

 5   the first one shot, two shots, before we shot. I didn't

 6   know. So I didn't know we had the weapon. If I knew we

 7   had the weapon, of course, we wouldn't have shot -- we

 8   wouldn't have hit him with the bean bags.

 9   And the commissioner thought that we didn't

10   handle the situation -- I didn't handle the situation

11   right. Thought we had more time, I guess. But nobody

12   got hurt. Nobody died. And the inmate had no injuries.

13   So that's what happened.

14   Q.   You said during the debriefing. Who was

15   present for the debriefing?

16   A.   Chief Randy -- Rodney McCloud. Chief.

17   Myself. AW Vinnie Vantell. AW Brandon Wattwood. That

18   may have been -- Assistant Chief Warren may have been in

19   there, too. Assistant Chief Warren.

20   Q.   Did you ever discuss this incident with Tony

21   Parker at TDOC?

22   A.   I don't know Tony Parker. I never met him.

23   Q.   Who communicated to you that TDOC didn't

24   think you handled this situation adequately?

25   A.   Charles Keaton. Charles Keaton and Jason

 1   Medlin both talked to me.

 2   Q.   What was their opinion about the situation?

 3   A.   Their opinion was that it is what it is and

 4   the commissioner didn't agree with it.

 5   Q.   Is it your understanding that you being

 6   relieved of your duties was entirely related to this

 7   single incident?

 8   A.   That is my understanding, from what I've been

 9   told, yes.

10   Q.   So they didn't mention the other homicides

11   that have occurred in the prison while you were warden?

12   A.   No, ma'am. Not to me, no, ma'am.

13   Q.   You stated that an inmate assaulted an

14   officer and then ran to his cell, right?

15   A.   Correct.

16   Q.   And I think you said something about that

17   inmate was being taken to segregation; is that right?

18   A.   Correct.

19   Q.   Why was that inmate being taken to

20   segregation?

21   A.   Because of assault on an officer.

22   Q.   What was the -- what led to or was going on

23   when this officer was assaulted?

24   A.   The inmate had his cell door rigged. When I

25   say rigged, so he could open it when he got it ready.

1   The officers removed like a big chip, potato chip

2   plastic bag out of it and closed it. And his cell mate,

3   who was out at the time, asked the officer to open the

4   door so he could go in the cell. And when he did, the

5   inmate came out and assaulted the officer. So she was

6   just doing her job.

7   Q.   How long had the cell door been rigged?

8   A.   I don't know.

9   Q.   Can you describe the homemade weapon or the

10 homemade knife, I think you described it as?

11   A.   Made out of metal. Seemed like maybe a piece

12 that -- I don't know, like a piece that come off the

13 bunk. Nice weapon, sharpened to a real sharp point.

14   Q.   About how big was it?

15   A.   Nine inches long.

16   Q.   Did anybody see where he had been storing it

17 in his cell?

18   A.   No, ma'am.

19   Q.   Is that something that you think had been

20 missed during one of the daily cell inspections?

21   A.   I don't know.

22   MS. MAPLES: Okay, Joe, I think that's all I

23 have.

24   MR. WELBORN: I don't have any questions.

25   MS. HASHEMIAN: I don't have any questions.

Page 107

```
 1              MS. MAPLES:  Mr. Byrd, thank you so much for

 2    your time.

 3              THE WITNESS:  You're welcome.  My pleasure.

 4              MR. WELBORN:  Thanks warden, good to see you.

 5              THE WITNESS:  Good to see you all as well.

 6    Have a great weekend.

 7              MS. MAPLES:  You, too.

 8              FURTHER DEPONENT SAITH NOT.

 9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25
```

Page 108
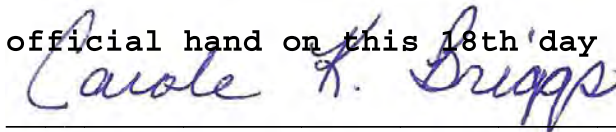
```
 1                    CERTIFICATE

 2
    STATE OF TENNESSEE        )
 3                            )   SS.
    COUNTY OF DAVIDSON        )
 4

 5           I, CAROLE K. BRIGGS, Licensed Court Reporter

 6   within and for the State of Tennessee, do hereby certify

 7   that the above deposition was reported by me and that

 8   the foregoing pages of the transcript is a true and

 9   accurate record to the best of my knowledge, skills, and

10   ability.

11           I further certify that I am not a relative,

12   counsel or attorney of either party nor employed by any

13   of the parties in this case or otherwise interested in

14   the event of this action.

15           IN WITNESS WHEREOF, I have hereunto affixed my

16   official hand on this 18th day of May 2021.

17   _____

18   CAROLE K. BRIGGS

19   Shorthand Reporter

20   Tennessee License No. 345

21

22

23

24

25
```

Exhibits

Exhibit 2 62:3,4 63:9
Exhibit 3 73:10
Exhibit 4 79:8,9
Exhibit 5 82:21,24 85:9,10
Exhibit 6 94:20,23

$

$1 19:1
$3 20:3,9

0

002376 83:1
002502 71:22
002605 94:24

1

1 33:10 62:19 73:23 85:16 95:17 96:4
10 12:13
12 50:11,24 51:1
12-gauge 103:17
12-hour 50:3,5,8,17
12th 99:12
1300 39:23
133 69:11
15 12:13 36:15 55:16
15th 68:13
16 50:4,25 51:8
16.50 18:25 19:11,20 20:22 21:2
160 51:13
164 46:10,23 47:4
16th 68:1,20
17 20:24
18th 80:23

19 83:24
1A 84:9
1B 62:21
1st 62:14,15 73:20 80:8 83:4 85:10 95:6

2

2 62:3,4 63:9 78:4 85:17 96:19
20 84:1
2020 6:7 33:14 62:14,15,16 64:21 68:13 73:20,21 79:19 80:8,9,23 83:8 88:4 95:6,7 99:10,12 100:16
2021 5:3 6:7 62:11 68:1 73:16 79:12 83:5 85:10 95:3 100:17 101:4,5 102:4,8,9
25 52:16
2500 53:12,13
2500-bed 52:3
25th 62:10 73:15 95:3
27 84:1
2C 95:8,18 96:5
2D 95:8
2E 95:8

3

3 63:22 64:8,11 73:10 85:23 97:15
30 24:10
31 64:15
31st 62:15,16 73:20 80:9 95:7
37 82:8
37-year-career 41:12
3D 73:21
3G 73:21

4

4 79:8,9 99:1
40 45:17

5

5 33:20 82:21,24 85:10
50 29:16 51:21

6

6 33:24 94:20,23
60 84:16
600 69:12
6th 99:10

7

7 5:3
733 64:16,22,25 67:17 68:18,25 70:25 71:5

8

8 35:13 36:5
80 45:4,8,9,11,16 46:3,6,21 51:16, 24
80-hour 49:9
84 45:21,24 46:20

9

9:02 5:2,4
9th 79:19

A

a.m. 5:2,4
Aaron 26:15
ability 30:18 34:6 41:22 42:6 44:14 89:2
absolutely 16:24 77:3 100:20
abuse 73:20
acceptable 70:2
accepted 8:3,8
access 42:2

effect 43:1 59:9 78:18 82:17 103:22

effective 56:11

employed 5:21 20:16

employee 16:18 18:22 45:4,20 49:8,21,22 50:3,22,24 51:3,8,12

employee's 48:19

employees 20:15 22:3 39:5,11, 15 42:15,18,22 44:24 45:1,14,17 46:10 47:7 48:14 49:15,16 50:7 57:5 75:4 86:11 92:5

employment 6:3 9:3

enable 39:11

enhanced 18:12

ensure 34:3 36:10 80:18,22

ensuring 30:12 32:20

entered 76:12 86:1,13

entering 75:10

entire 28:15,21,22 51:23

entries 75:3

equal 52:11

Erin 5:9

escape 54:9,11 89:13

Escapes 89:22

essentially 11:4

events 13:25 19:1 23:14 99:13

Eventually 82:18

everyday 28:25

exact 6:3,5 11:21,22,23 12:1 14:22,24 15:15 28:24 29:3,6 52:2, 4 53:16 100:19,22 101:16,17 102:2

EXAMINATION 5:17

examined 5:15

examples 13:21 41:13,16,19 43:17 44:2

excessive 91:11,14,16 93:7,24 94:12

excuse 6:6 44:4

executives 10:10,19 12:6 20:19

exhausted 55:16

exhaustion 93:11,15 94:7

exhibit 33:10 62:3,4 63:9 73:10 79:7,8,9 82:21,24 85:9 94:20,23

expect 48:9,11

expected 55:13

expenses 19:17

experience 31:11 76:9 93:11

experiencing 93:14

expired 99:10

explain 83:14 84:9

extreme 94:7

F

face-to-face 9:9

facilities 8:25 13:10 36:10

facility 5:23,25 6:2,4,10,17,23 7:5,16,18,21 8:9 13:24 14:10 20:16 21:18,22 24:8,18 25:1 34:4 52:3 53:10,12,13,17 65:5,16,19 66:1,15,21,25 72:23 73:2 74:6 79:22 80:17,21 82:2,5,6 93:8 99:8 100:13 101:2,3,6,8,14

fact 19:3 39:23 95:15 100:11 102:11

factly 61:24

factors 43:7

facts 65:12 69:21

factual 65:2 69:22,24

failed 32:4

failure 78:14 84:22

fair 15:1 23:8 82:4

fairs 19:16 21:15

fall 41:3 50:9

familiar 62:23

family 7:2 67:7

fatigue 48:16

fault 75:7,8 93:20

February 62:10 66:10 73:15 79:11 83:4 85:10 95:3

feces 57:10

fed 43:21,23

feedback 25:4,6

felt 15:20

fence 75:17

fights 30:9

figure 12:2 25:22 30:10 32:2,16 43:15 53:11 59:11 68:16

fill 14:13 22:8 28:6 49:23 66:20 90:11

filled 64:17,22 65:1 68:11 71:1 90:9

find 67:13 101:1

finding 36:15 79:3

findings 10:5 17:9,13

finds 50:1

fine 41:20 75:9 98:14

five-day-a-week 50:21

floor 103:24

Flyers 19:5

focus 40:3,6

folks 19:16,18

follow-up 31:4,6

food 75:22

fooled 47:3

force 84:2 89:12,18,20,21,23 90:3,5,12,19,22 91:4,7,10,14 92:6,10,15,17,25 93:3,6,8,25 94:12 95:6,14,18 96:4,9,21,25 97:2,10,19,20,23 99:13

foregoing 5:1

forgot 9:23

form 13:5 22:7 23:10 28:10 34:22,23 35:19 37:16,17,25 38:16 43:19 44:6 46:12 54:24 55:21 59:13 69:7 70:3,4,17,19 71:3,4, 11,12 78:10 80:4 81:13 90:8 94:8

formal 12:19,21

format 14:6,11,12

forms 85:19 90:10

I

identified 73:21 86:5 95:7

illegal 81:23 82:1,5,6,7,10,12

impact 39:5 42:6 44:14 48:19 56:4 82:12 88:24

impacted 23:3

impacts 89:2

important 44:18 57:24 60:15,18 61:1,2 74:2 83:15 84:10 88:22

inability 80:1

inaccurate 69:5

inadequately 41:25 42:6

inaudible 87:17 92:22

inches 106:15

incident 8:19 16:8 24:23 25:16, 19 26:5 27:4,7,22,23 42:19 48:20 58:6 59:10 83:20 84:11 85:1,12 86:1,2 90:19 91:4 96:10 97:23 101:20,25 102:8,14 104:20 105:7

incident-related 27:13

incidents 8:15 13:22 14:10 16:7 24:20,21 30:8 33:25 35:8 57:25 58:9 83:16 84:10 86:13 90:13,22 92:21,25 93:4 96:9 99:4

include 81:23

included 72:23

including 15:4

incorrect 68:11

increase 18:19

increased 67:1

increasing 21:8

individually 24:25

individuals 20:16 44:20 50:20

influence 43:7

information 16:6 31:3,7,24 32:8 34:5 48:9 67:19,20 68:25 88:15 92:16

informed 23:25

informs 95:23

injuries 104:12

inmate 16:18,23 33:24 36:5,24 37:1,5,24 38:10 39:17 44:3,14,17 53:24 54:1,2,4,13,15 57:6,7,8,21 76:18,21 93:16 94:3 102:16,17 103:4,19,24 104:12 105:13,17,19, 24 106:5

inmates 7:25 8:5 26:11 36:12 37:9 42:1,12 53:13,17 54:5,7,13 55:2 56:19,24 57:13,18 60:22 67:14 73:24 74:2 76:15,17 78:4, 15,25 82:2 85:20 89:14,22

inside 44:18 60:21 75:5 81:21

inspection 56:5,16 79:24 88:18

inspections 56:1,2,11 79:20 80:2,18,22,23 81:11,20 106:20

instances 86:5,11 88:14

institution 27:8,9 28:4,15,21,22 29:2,13,21 30:3,6

institutional 29:24

instrument 62:20 63:2 84:9 95:18 96:4

instruments 62:24 63:5,23

intel 76:16,18,20 77:10,19,21,25

interacted 12:12

intercepted 75:16,17

intervene 42:18

introduce 5:5

involved 72:8,14 87:13 90:12,16, 17 99:4,13

involves 99:3

involving 97:23

issue 8:9 10:1 32:15,17 33:5 34:20 55:7 59:18,20 64:11 79:18 85:18 87:15,16,23 96:8,17,21

issues 7:14,20 17:23 18:7 40:9 53:24 58:20,24 59:10 66:11 67:11 80:16,20 93:8 97:10

item 21:25 62:21 64:8,11 73:23 78:4 85:16,17,23 87:21 95:17,18 96:3,4,19 97:15

items 22:15 62:15 63:20 71:15 73:21 81:25 95:7

J

Janna 5:7 53:5

January 33:13 34:17 101:3,7

Jason 11:1 12:11 104:25

JDE 68:12

Jennings 5:8

job 6:24 7:3,24 8:3,8,11,12 19:16 21:14 35:7 42:23 106:6

Joe 5:9 59:21 99:25 106:22

John 65:7

Jon 62:7 73:13 79:14,15 95:2

July 73:20 83:8 95:6

Justin 33:18 99:9

K

Keaton 7:23 8:11 10:9 12:7,14 13:10,15,20 14:5,23 15:4,8,12,14 16:6,8,14 17:16,18 21:11 22:8,12 24:4,17 25:2,5,24 72:25 73:3 93:1,4 104:25

key 33:21 66:24 67:2

kicking 57:22

kids 67:8

kin 25:8

kind 12:19 13:18 14:4,9 15:7,22 18:5 19:1,7 25:2,4 26:3 42:25 43:17 47:11 49:22 59:10 61:17 101:1

kinds 25:23 41:18

knew 40:9 65:2 104:6

knife 103:1 106:10

knowing 58:22 103:8

knowledge 30:19

L

lab 73:24

lack 94:12

laid 103:24

late 83:25 84:1 97:1

laughing 24:13

lead 42:21 43:24 49:16

leads 43:1 49:19

leave 58:18,19 100:24,25 101:1

led 26:1 57:12 105:22

left 64:17,22 65:1 70:1 71:1

left-hand 94:25

legal 39:2

legitimate 66:22

level 8:13 66:21 67:21 74:17 77:3 78:16 80:2 81:21 99:5

levels 18:19 21:8 23:4,7 74:19

liaison's 96:22

light 40:11

limit 49:10

list 41:4 73:6

listed 62:14 83:7

live 76:17

lived 24:9,10

lock 27:8 28:18 29:2,13,21 30:2, 10

lockdown 26:24 27:2,3,9,10,13, 14,15,17 28:4,14

lockdowns 27:19 28:12,20 29:23,24 30:7

locks 55:3

long 48:16 89:5 90:2 100:2 106:7, 15

longer 100:12

looked 7:18 8:2,3 63:1 97:9

lose 94:1,2,6

lost 40:11 53:9

lot 19:7,18 25:10 39:20,21 40:8 41:3 49:16 67:10 72:18 74:11 75:24 77:23 84:18 93:14

low 28:24

luxury 79:3

M

made 21:2 31:17 55:1 67:11 79:24 97:20 102:20 106:11

mail 74:10 75:17

maintain 66:1

make 7:4,7 24:11 25:7 32:17 41:8,10 42:7 44:21,23 55:13,18 57:1 65:9 82:1

makes 32:18 39:9 49:5 82:18

making 40:11 50:23 56:20 60:24, 25

man 24:22

management 34:3,9 35:23,24, 25 36:8,9

manager 12:7

managers 79:23

managing 7:24 12:15

mandates 79:24

mandatory 36:11 48:22,25

manned 74:22,24

manner 88:16

Maples 5:7,17 13:12 23:23 28:11 33:8,11 35:2 36:1 37:20 38:7,19 40:13,17,20 44:1,9 46:15 53:7 55:4,24 59:2,5,7,21,25 60:2,3 62:2,5 69:10 70:9,24 71:7,14 73:8,11 78:13 79:7,10 80:7 81:16 82:22 85:5,7 94:10,18,21 95:25 96:2 106:22 107:1,7

March 6:6,7 68:1,20 100:16 101:5,7 102:8

mark 49:9

marked 33:10 62:4 73:10 79:9 82:21 94:20

marry 85:1

master 49:4

mate 106:2

math 46:17 47:1

matter 19:3 61:24 102:11

Mccloud 104:16

meaning 98:12

means 7:10,11 45:17 46:9 75:10 89:19

meant 60:12

measures 25:12

medical 39:21 87:15

Medlin 11:1 12:9,12 105:1

meet 99:21

meeting 66:8

meetings 10:19 66:10

member 99:11

members 67:7 78:23

memos 15:7,10

mental 94:7

mention 8:13,15 17:18 105:10

mentioned 9:8,23 18:9 26:4 43:12 44:7,21 56:18

met 66:13 104:22

metal 106:11

meth 77:14

miles 24:10

mind 13:25 14:4 20:7 39:25 40:12 56:8

minimally 36:23 37:4,23 38:10 39:16

minute 7:22

minutes 83:24 84:1,17

missed 84:16 106:20

misspeak 53:2

misstating 27:20

mistake 55:19

mistakes 55:1 56:20,23

misunderstood 52:18

monitor 27:25 28:7 55:17 62:7 66:6 68:13 71:9 75:4 79:22 80:17, 21 81:4 86:4,10 90:6 96:8 97:22, 24

monitoring 62:20,23 63:5,23 64:14 81:20 84:9,11 95:18 96:4

monitors 9:7 31:21 32:12 63:6 66:8,9 80:25 89:4

month 15:22 48:10 64:14,15,21 102:3

monthly 13:3 62:14 63:15,17,18, 19 88:4

months 18:25 19:1,13,25 20:23 21:3 40:7 63:25 78:6 79:1 88:20 89:6

morning 5:18 100:11

mouse 98:16

moved 57:19

Moving 19:17

multiple 15:21 64:13 102:21 103:2

Mumbling 83:24

N

names 26:11

narrow 41:15,17

Nashville 65:5 66:13,14,18

necessarily 77:17

needed 31:2

Negatives 37:10

Nice 106:13

nighttime 26:25

Nikki 5:11

nine-inch 102:19

non- 89:8

non-overtime 45:18,24

noncompliance 62:19 63:4,10, 12,22 64:8,11 66:4 67:10 73:21, 23 79:18 80:16,19 85:15,16,17, 18,23 87:20,23 95:7,17 96:3,7,19 97:10,15

noncompliant 78:4 99:1

nonlethal 103:18

notice 56:15 92:2

notification 97:19

notified 17:6 25:7 35:9 64:20 79:22 81:4 87:2 90:6,18 96:13,14,

16 97:4,5,7,24 98:1,4 99:16

notifying 83:17,19

November 79:19 83:24 88:4

number 14:23,25 15:16 28:24 29:3,14,17 30:5 36:23 37:4,24 38:10 39:16 41:21,22 42:7 43:17 49:3 52:2,5,12,13,22,23,24 53:10, 16 58:15 61:14 63:14 64:25 65:2 67:18 68:18,25 69:2,9,12,16 70:1, 13,25 71:8 78:23

numbers 29:5 32:10 52:19 61:16 65:13 68:11 69:15 70:11,12

O

Object 13:5 23:10 28:10 34:22,23 35:19 37:16,17,25 38:16 43:19 44:6 46:12 54:24 55:21 59:13 69:7 70:3,4,17,19 71:3,4,11,12 78:10 80:4 81:13 94:8

observed 40:19 80:24 85:6

OC 90:1,2 91:24

Occasionally 15:15 78:2

occur 29:23

occurred 24:20 58:9 80:22 96:9 102:14,16 105:11

occurring 57:25 86:25

October 62:15,17 68:13 80:6,8 88:3

off-site 67:12 85:20

off-the-record 53:6 59:4

offender 83:21 84:1,5,6

offering 91:6

office 11:17 21:21 72:9 88:13 96:22 102:23

officer 10:25 23:19 55:12,13,15, 17,18 57:20 60:9,12,22,23 61:7 91:21 92:16 93:14,24 99:9 102:16 105:14,21,23 106:3,5

officers 50:12,13,16,18 60:21 67:13,15 89:12 92:14 93:10 94:5, 11 106:1

Oklahoma 6:11 27:21

one-month 69:17 70:2 71:2

ongoing 42:22 94:16

open 55:8,11 58:19 105:25 106:3

opened 55:12

opens 55:12

operating 25:18

operation 37:9 78:19

operations 23:6 87:16

opinion 17:8,11,12 19:19 32:3 34:25 58:5 69:18,25 83:14 91:6 105:2,3

opportunity 47:18 66:5 69:4

order 38:25

ordinary 7:8

out-of-the-norm 27:23

overdose 16:11,13

overdoses 26:21

overs 74:9

oversee 89:3

oversight 42:12

overtime 44:24 45:1,9,12,15,22 46:3,7,19,25 48:14,22,25 49:9,16 51:17 93:11

P

packet 91:2

paid 20:22 101:1

pandemic 39:19,23

paper 78:12

paragraph 36:21 68:3 71:25 80:15,19

paragraphs 87:9

Parker 104:21,22

part 23:5 34:11 37:1 56:1 98:23

partial 29:23,25 30:7

pass 73:6

Patrick 10:24 12:9

pattern 21:10 22:3

pay 18:25 19:10,17 20:14 45:5,6, 9

paying 20:6

PDF 33:20,23 35:13 36:5

people 11:4 18:23 19:8 39:24 43:21 48:5 76:3 77:22 78:1 80:13

percent 32:23

Perfect 98:24

performance 33:13

performed 8:24 36:10 81:1,12, 15,18

period 45:5,6,9,12,15,20 46:2,11, 24 47:4 51:16,21 62:13,17 63:19 64:14 69:17 70:2 71:2 75:21 78:6 79:1 88:19 100:21,23

permissible 36:16

permitted 46:10 89:12

person 18:22 48:4

phone 10:21 24:19 90:20 95:19 96:1 99:21 100:6

physical 58:20 59:23,24,25 89:20,21 90:3 94:7

physically 24:7 101:8,13

piece 37:8 106:11,12

pipeline 19:8,9

place 8:2 18:8,10,15 19:21,23 20:1,12,19 21:1,4 32:25 40:8 49:23 58:14,17 101:20

places 58:16 60:19

plaintiff 5:8

plan 18:6 67:13 68:4 71:16 72:1 87:6 103:4

planning 58:24 59:10,17

plant 58:20 59:19,22,23,24,25

plastic 106:2

play 77:1

played 80:12

pleasure 107:3

plethora 43:24

pod 27:10 28:21 29:25 30:2,10 60:5,9,12,22 61:6 102:24

pods 27:10 30:1 55:17 60:8

point 51:20 74:9,22 102:20 106:13

pointed 32:15

policies 32:25 38:9 39:15

policy 38:17,18,20,21,22,24,25 39:3,6,9,12 45:3 46:6,10 47:5,8 51:15,19 78:15

Polly 5:9

population 54:6,8 60:6 76:19,21

port 74:23

position 6:13 21:10 22:6

positions 50:14 68:9,10

positive 37:9,10 73:24 74:3 78:5, 25 79:2

possibly 92:18

post 49:23 66:20 67:12,14,17

posts 63:25 64:12,13,16,22,25 65:6 69:17 70:1,25 74:21,24

potato 106:1

potentially 6:21

powerless 39:10

pre-covid 24:1

PREA 88:11,18,22

prepare 99:22 100:4

preparing 99:18

presence 82:1

present 53:18 101:3,13 104:15

presented 93:16

pretty 19:8,9 47:3 92:13

prevent 89:13,14

previous 63:24

prior 97:18

priority 24:3 32:21

prison 7:8 8:13,16,24 22:20,22 23:6,16,19 24:2 28:18 39:20 40:22 41:11,14 42:1,6,9,11,14,17 43:4,16 44:18 56:10 66:17,25 70:15 74:21,25 75:1,2,3,5,10 76:5,7,12 77:4 78:19 81:21 82:9, 13,18,19 83:16 88:24 89:3 94:15 105:11

prison's 44:14

prisoners 77:10

prisons 9:25 57:3 58:17 74:11

problem 8:4 23:7 24:1 31:4,5,17, 22 37:5,15,23 38:14 41:2 92:2

problematic 34:6

problems 7:4,6

procedure 25:19,20

procedures 36:11

produce 85:19

programming 44:15,17

promote 11:2

properly 55:1,19 57:1

property 89:14

protect 36:11

protection 54:10,11,14,15

protective 56:20 57:6,13,15

provide 14:14 31:3,7 34:6

provided 67:24 80:24 88:15 96:22

public 33:24

pull 48:2

pulled 68:11

pulls 49:25 57:21

pumps 19:6

purpose 83:17

put 18:5 19:6 20:19 21:1,4 52:4 56:24 57:1,5 66:24 103:25

Q

quality 72:8,9

quarterly 62:15,17 63:18,20

question 30:24 32:7 37:19 45:2 46:13 49:3 60:23 69:23 70:6,7 71:19 72:4 74:23 75:7,13 76:10 93:9,19 101:16 102:11

questions 29:5 31:4,6 106:24,25

quick 40:13

quicker 30:2 41:18

R

rabbit 49:25

Rack 27:2

Radio 19:2

raise 20:2 21:4

raised 20:24

ran 102:17,18 105:14

random 36:23 37:1,5,24 38:10 39:16

Randy 104:16

rapid 57:24

rare 61:19,22

Raymond 5:14,20 22:22 23:18 24:24 25:6,9 53:14

reached 49:9

react 93:15

read 9:19 34:7,14 36:13,21 37:22 59:1,3,15 78:11 86:7 87:25 91:8 95:16 98:3,6

reading 35:24 68:8 79:17 81:9 84:25 86:19,20 95:15

ready 14:14 105:25

real 31:21 106:13

realistic 84:15

reason 9:17 66:22 95:24

reasonable 48:12 69:16

reasonableness 91:7

reasons 30:4 41:7 67:10 93:23

reassigned 100:13

reassignment 101:24

recall 6:25 10:2 11:5 17:10,14,17 22:6,9,10 49:11,12 51:20 64:24 85:8 92:20 95:10,13,15

receive 42:22

received 99:5

receiving 95:10

recently 5:25

recess 40:19 85:6

recollection 26:16 32:3

record 5:19 40:18 77:5 99:8

records 66:2 83:10

recruit 19:4,16

recruiting 21:18 22:1 23:14

rectify 31:23

red 34:3

reducing 44:18

refer 18:22

referrals 18:21 21:14

referred 64:3

referring 10:14 18:23 27:5 31:15 36:8 62:20 64:6 88:9 89:24 101:25

reflected 64:16

refresh 26:15

refusing 93:16

regard 10:22 18:12 38:9 60:4

regular 13:3 45:18 61:18

regularly 27:4,13 28:19 61:19

rejoins 95:25

related 16:7 27:4 30:7 43:13 44:2 55:6 74:17,18 75:14 78:15,20 80:2 84:23 88:10 93:8 94:12 105:6

relationship 41:21 43:3 53:9

reliable 34:6

relieved 66:9 101:18,23 102:7 105:6

relocation 19:13 21:14

rely 48:5

remedial 25:12

remedies 26:3

remedy 26:1

remember 15:18 64:20 81:7,9 85:12 86:25 91:24 92:19 96:16 97:7

removed 106:1

renewed 99:11

repeat 56:8 71:19 77:6

replacement 49:22

report 12:17,18 13:1,3 17:7,13, 22,25 27:16,19,23 28:1,5,6 31:22 32:6,8,12,16,17 33:13 34:15 35:1, 7,17 47:11,20 51:6 62:14 63:4,10 66:4 67:19,25 68:24 73:1,25 74:3 84:22,23 86:1 90:10 95:11,15,16 97:2

reported 34:4 71:9 84:10,19,20 88:13

reporter 5:3 59:2,14,17 60:1 95:23

reporting 30:13,23 31:8,12 33:1, 4,5,24 34:20 85:13 90:4 96:9 97:11

reports 8:23 9:11 12:19 13:2 17:9,15,19 30:17,22 31:25 32:4, 20 63:13 65:4 66:17 70:14 83:11, 15 88:4,7,9,10,14,18,22 90:10 96:22 97:1

represent 5:5,10,11

request 21:11 31:24 32:9

requested 15:9 22:2 79:23 88:14,16

requesting 80:17,21

requests 32:10

required 13:2 36:23 37:4,23 38:10 39:16 42:7 49:8 50:10,11 64:1,13 76:21 78:15 79:21 80:2 85:19 88:14

requirement 63:22 79:23 80:25 86:12 97:17

requirements 31:9,12 90:4

resistance 92:11

resource 76:18

resources 47:23,24

respect 82:8

respectfully 7:9,10 10:13 15:24, 25 28:17 29:11,14,17,19 30:25 31:14 32:6,9 35:1,6,11 37:19 38:2,3 39:18 41:15,19 43:9 44:5 45:2 46:18 53:22 54:3 56:7 61:10, 23 63:14,16 69:3,8,14,15,23 70:5, 8,20,23 71:6,13 72:17 74:7 93:5, 21 102:12

site 31:21 32:13 89:5

sitting 22:9,10 26:2 29:11

situation 12:21 103:13,15 104:2, 10,24 105:2

situationally 13:1

situations 26:1 38:4 50:2 51:3 58:3 61:17 89:11

size 103:17

skin 17:5

slash 88:2,14

sledge 103:11

slow 21:2

society 82:17

sold 77:16

solving 92:2

somebody's 89:6,7

sooner 58:7,14,22

SOP 25:18

sort 48:20

sounds 12:25 29:15 34:19 59:8

source 77:4,11

speak 52:14 99:21,24

speaking 39:1

specialists 72:11,20

specific 9:17 17:21 25:25 56:21 60:5

specifically 89:19

spelled 5:20

spelling 31:25

spend 72:18 99:18

spent 21:7

spoke 100:10

spoken 11:11 62:25

spot 66:12

spray 90:2,3 103:5

spraying 91:23

stabbing 16:25 17:2

staff 19:5 34:4 40:11 41:5,7,21

44:22 54:25 55:25 56:20 58:7,10, 13 65:16 66:22 74:9 75:18,19 78:20,21,23 99:3,10 102:15,18 103:5

staffed 23:18,20 40:22 41:12,14 42:1,5,6 63:25 64:12 75:11 76:5

staffing 7:25 8:9 9:25 10:1,7,8 17:23 18:6,12,19,21 19:18 21:8, 10 22:3,12,21 23:3,7,15 24:1,3 35:13,14,17,22 44:13 55:5 60:4,8 62:14,21 63:13,17 67:1,13 74:19 78:16 80:3,12

stamp 94:24

stamped 71:22

stand 28:3

standard 25:18,19,21 26:4,7 79:21 95:6,14

stands 83:18 84:13

started 6:15 8:21 18:4 19:11 66:7,8

starting 18:25

state 5:12,18 17:18 34:3 35:24 36:3,10 40:8

state's 90:7

stated 22:2 35:7,21 101:17 105:13

statement 102:21

states 34:3 36:9,20 63:22 73:19 79:19 80:16,20 85:25 95:5

stating 68:5

stay 50:4,25 51:2 67:7

stayed 51:4

stepped 31:19

stop 73:4 89:22 92:11 101:13

stops 92:11

storing 106:16

Stranch 5:8

strategy 18:6

stress 42:15 93:12,15 94:7

strike 42:5 80:18

struggle 74:5,8,12,15

stuff 26:7 30:4 32:1 39:24 41:6 48:5 57:10,23 75:23 76:4 98:7

submit 12:19 13:1 15:7 32:4 88:22

submitted 14:5 32:6,20 65:4 68:12 97:1

submitting 30:21

substance 73:19

substantial 48:14

suffering 94:6

suggest 20:2,6

suggestions 25:25

supervision 60:16,17,20 61:3

supervisor 49:25 84:15

support 36:5 65:5,16,19 66:1,15 72:23 73:2

supposed 57:20 58:19 60:25 78:5

Surprise 30:4

Swindall 10:24

sworn 5:15

system 17:6 76:23 77:18

T

taking 22:6

talk 10:20 13:20 14:2 15:3 22:17 35:10 100:2

talked 22:11 23:25 24:19,22 35:6,12,21 43:25 67:2 93:6,10,13 100:11 105:1

talking 7:13 10:2 22:24 34:11 35:23 60:8,21 64:7 68:9 76:7,8 103:6

talks 22:21 63:19 84:3

TDOC 27:16,20 30:24 31:1,15 32:5 36:9 39:22 62:7,23 71:22 72:10,20 81:3 88:13 94:24 104:21,23

TDOC's 89:2

team 72:9

technical 53:6

V

Vacancies 14:1,10

vacant 64:17,23 65:1 71:1

valid 34:5

Vantell 104:17

variety 30:3 41:7

vendors 75:20,21

verify 63:25

versus 27:13 82:5

vet 66:11

vet all 65:6

vetted 65:8,13 66:15

video 96:17

Vinnie 104:17

violation 47:8

violence 8:13 44:3,18

violent 8:15 30:8 42:19 48:20 57:25 59:9 83:16

virtually 5:6

visible 61:1

visit 22:17 24:4

visited 24:7

Vo-tech 13:23

VP 11:2

W

W-A-L-L-S 19:15

waiting 101:1,24

walk 22:17 57:9

walked 11:1 102:24 103:3

Walls 19:14,16

Walton 62:7 64:12 73:13 79:14, 15 95:2

wanted 13:20 14:2,6 21:10 31:18 32:7

wanting 67:16

warden 6:25 12:6 20:18 22:21,23 26:9 30:15,20 32:22,24 33:6 35:4 38:8 48:9 69:25 88:2 91:14 92:4 100:16 101:4,19,23 104:3 105:11 107:4

wardens 13:16

Warren 104:18,19

Washburn 7:1 20:18

Wattwood 104:17

ways 19:7 44:22 74:21 75:4,24 76:7,11,14,15

weapon 84:4,5 102:20 103:7,20 104:4,6,7 106:9,13

weapons 42:2 81:24

weeds 17:21

week 12:8,9 15:4,21 24:5,17 29:1 45:7,8,10,18 100:9,10

weekend 107:6

weekly 13:3,4,7,8,19 15:4 24:16

weeks 45:7,10 51:13

Welborn 5:9 13:5 23:10,12 28:10 34:22 35:19 37:16,25 38:16 43:19 44:6 46:12 54:24 55:21 59:13,19, 22 69:7 70:3,17 71:3,11 78:10 80:4 81:13 85:4 94:8 99:25 106:24 107:4

white 71:24

wholeheartedly 29:20

wife 67:9

Wilson 33:18

window 103:13

word 18:14 56:22 74:14

words 95:24

work 18:5 31:21 44:24 45:1,4,8, 11,14,17 46:6,10,19,20 47:5,7 48:14 49:15 50:5,10,11,13 51:16 66:5 67:9 72:25 73:2,5 93:10

worked 12:15 22:21,23 23:16,18 24:3 41:11 45:20 50:7 57:3 58:17 74:11 82:9

working 6:15 18:4 45:22 51:12 55:16 66:7 96:23

world 23:1 82:14

worries 59:5

wow 25:9 70:14

write 92:2

written 64:12 88:2

wrong 18:24 28:24 29:18 48:4 52:17 65:7

wrote 78:12 87:25

Y

year 15:19 102:9

years 82:8

Z

Zoom 5:6 99:22